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U.S. District Court
Western District of Oklahoma[LIVE] (Oklahoma City)
CIVIL DOCKET FOR CASE #: 5:19-cv-01198-D

The Cherokee Nation et al v. Stitt
Assigned to: Honorable Timothy D. DeGiusti
Cause: 28:1331 Fed. Question

Date Filed: 12/31/2019
Date Terminated: 03/13/2023
Jury Demand: None
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: Federal Question

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Phillip G Whaley

(See above for address)

TERMINATED: 05/12/2021

ATTORNEY TO BE NOTICED

Steven K Mullins

(See above for address)

TERMINATED: 05/12/2021

ATTORNEY TO BE NOTICED

Counter Defendant

Wichita and Affiliated Tribes

TERMINATED: 03/13/2023

represented by **Keron Kirke Kickingbird**

(See above for address)

ATTORNEY TO BE NOTICED

Michael D McMahan

(See above for address)

TERMINATED: 04/29/2022

ATTORNEY TO BE NOTICED

William G Guedel
 (See above for address)
ATTORNEY TO BE NOTICED

William R Norman , Jr
 (See above for address)
ATTORNEY TO BE NOTICED

Zachary Thomas Stuart
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/31/2019	<u>1</u>	COMPLAINT against J Kevin Stitt filed by The Cherokee Nation, The Choctaw Nation, The Chickasaw Nation. (Attachments: # <u>1</u> Civil Cover Sheet)(kmt) (Entered: 12/31/2019)
12/31/2019	<u>2</u>	Summons Issued Electronically as to J Kevin Stitt. (kmt) (Entered: 12/31/2019)
12/31/2019		PAYMENT FOR A CIVIL CASE Filing fee \$ 400, receipt number 1087-3064971. (Henry, Robert) (Entered: 12/31/2019)
12/31/2019	<u>3</u>	ENTRY of Appearance by Robert H Henry on behalf of Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The (Henry, Robert) (Entered: 12/31/2019)
12/31/2019	<u>4</u>	ENTRY of Appearance by Stephen H Greetham on behalf of Chickasaw Nation, The (Greetham, Stephen) (Entered: 12/31/2019)
12/31/2019	<u>5</u>	ENTRY of Appearance by Sara E Hill on behalf of Cherokee Nation, The (Hill, Sara) (Entered: 12/31/2019)
01/02/2020	<u>6</u>	ENTRY of Appearance by Bradley H Mallett on behalf of Choctaw Nation, The (Mallett, Bradley) (Entered: 01/02/2020)
01/14/2020	<u>7</u>	SUMMONS Returned Executed by Cherokee Nation, The, Choctaw Nation, The, Chickasaw Nation, The. J Kevin Stitt served on 1/6/2020. (Henry, Robert) (Entered: 01/14/2020)
01/17/2020	<u>8</u>	MOTION for Leave to Appear Pro Hac Vice – <i>Frank S. Holleman</i> Filing fee \$ 50, receipt number 1087-3077453 by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1 – Request for Admission Pro Hac Vice)(Henry, Robert) (Entered: 01/17/2020)
01/21/2020	<u>9</u>	ORDER granting <u>8</u> Motion for Admission <i>Pro Hac Vice</i> of Frank S. Holleman. Signed by Honorable Timothy D. DeGiusti on 1/21/2020. (kmt) (Entered: 01/21/2020)
01/22/2020	<u>10</u>	ENTRY of Appearance by Frank S Holleman on behalf of Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The (Holleman, Frank) (Entered: 01/22/2020)
01/22/2020	<u>11</u>	ENTRY of Appearance by Phillip G Whaley on behalf of J Kevin Stitt (Whaley, Phillip) (Entered: 01/22/2020)
01/22/2020	<u>12</u>	ENTRY of Appearance by Daniel G Webber, Jr on behalf of J Kevin Stitt (Webber, Daniel) (Entered: 01/22/2020)

01/22/2020	<u>13</u>	ENTRY of Appearance by Patrick R Pearce, Jr on behalf of J Kevin Stitt (Pearce, Patrick) (Entered: 01/22/2020)
01/22/2020	<u>14</u>	ENTRY of Appearance by Matthew C Kane on behalf of J Kevin Stitt (Kane, Matthew) (Entered: 01/22/2020)
01/22/2020	<u>15</u>	ANSWER to Complaint , COUNTERCLAIM against All Plaintiffs by J Kevin Stitt. (Attachments: # <u>1</u> Exhibit 1–DOI Approval of Cherokee Gaming Compact, # <u>2</u> Exhibit 2–DOI Approval of the Chickasaw Gaming Compact, # <u>3</u> Exhibit 3–DOI Approval of the Choctaw Gaming Compact)(Whaley, Phillip) (Entered: 01/22/2020)
01/22/2020	<u>16</u>	ENTRY of Appearance by Matthew K Felty on behalf of J Kevin Stitt (Felty, Matthew) (Entered: 01/22/2020)
01/22/2020	<u>17</u>	ENTRY of Appearance by Steven K Mullins on behalf of J Kevin Stitt (Mullins, Steven) (Entered: 01/22/2020)
01/22/2020	<u>18</u>	ENTRY of Appearance by Mark E Burget on behalf of J Kevin Stitt (Burget, Mark) (Entered: 01/22/2020)
01/22/2020	<u>19</u>	ENTRY of Appearance by Jeffrey C Cartmell on behalf of J Kevin Stitt (Cartmell, Jeffrey) (Entered: 01/22/2020)
01/24/2020	<u>20</u>	ENTRY of Appearance by George J Wright on behalf of Citizen Potawatomi Nation (Wright, George) (Entered: 01/24/2020)
01/24/2020	<u>21</u>	MOTION to Intervene by Citizen Potawatomi Nation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Wright, George) (Entered: 01/24/2020)
01/24/2020	<u>22</u>	ENTRY of Appearance by Gregory M Quinlan on behalf of Citizen Potawatomi Nation (Quinlan, Gregory) (Entered: 01/24/2020)
01/27/2020	<u>23</u>	MOTION to Intervene by The Muscogee Creek Nation. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Attachment, # <u>3</u> Attachment)(Wiley, Roger) (Entered: 01/27/2020)
01/28/2020	<u>24</u>	ORDER setting In Chambers Case Management Conference set for 2/7/2020 10:00 AM in Chambers before Honorable Timothy D. DeGiusti.. Signed by Honorable Timothy D. DeGiusti on 1/28/2020. (mb) (Entered: 01/28/2020)
01/28/2020	<u>25</u>	ENTRY of Appearance by Roger F Wiley on behalf of The Muscogee Creek Nation (Wiley, Roger) (Entered: 01/28/2020)
01/30/2020	<u>26</u>	NOTICE of Change of Address by Roger F Wiley (Wiley, Roger) (Entered: 01/30/2020)
02/04/2020	<u>27</u>	RESPONSE to Motion re <u>23</u> MOTION to Intervene, <u>21</u> MOTION to Intervene filed by J Kevin Stitt. (Whaley, Phillip) (Entered: 02/04/2020)
02/06/2020	<u>28</u>	ORDER granting <u>21</u> Citizen Potawatomi Nation's Motion to Intervene; granting <u>23</u> Muscogee(Creek) Nation's Motion to Intervene. Citizen Potawatomi Nation and the Muscogee (Creek) Nation shall file their Complaints in Intervention within 7 days from the date of this Order. Signed by Honorable Timothy D. DeGiusti on 2/6/2020. (mb) (Entered: 02/06/2020)
02/07/2020	<u>29</u>	INTERVENOR COMPLAINT against J. Kevin Stitt, in his official capacity as Governor of the State of Oklahoma filed by Citizen Potawatomi Nation.(Wright, George) (Entered: 02/07/2020)

02/07/2020	<u>30</u>	INTERVENOR COMPLAINT filed by The Muscogee Creek Nation. (Attachments: # <u>1</u> Civil Cover Sheet)(Wiley, Roger) (Entered: 02/07/2020)
02/10/2020	<u>31</u>	ORDER for MEDIATION. The Court orders the following: Not later than February 14, 2020, the parties shall submit by written notice sent electronically to the mailbox of the undersigned a list of three proposed mediators for appointment by the Court. Plaintiffs and Intervenors shall work together to select three names to be proposed by them as a group. By that same date, any nonparty who wishes to participate in court-ordered mediation shall file an appropriate motion to intervene in this case; 21 days following the appointment of a mediator, the parties shall submit a joint report to the Court regarding the status of the mediation proceeding. The submission shall be made electronically to the mailbox of the undersigned; mediation shall be completed or substantially completed not later than March 31, 2020.. Signed by Honorable Timothy D. DeGiusti on 2/10/2020. (mb) (Entered: 02/10/2020)
02/10/2020	<u>32</u>	Summons Issued Electronically as to J Kevin Stitt. (kmt) (Entered: 02/10/2020)
02/10/2020	<u>33</u>	Summons Issued Electronically as to J Kevin Stitt. (kmt) (Entered: 02/10/2020)
02/12/2020	<u>34</u>	UNOPPOSED MOTION to Intervene by Quapaw Nation. (Attachments: # <u>1</u> Exhibit Exhibit 1: Proposed Complaint in Intervention of the Plaintiff Quapaw Nation, # <u>2</u> Exhibit Exhibit 2: Quapaw Nation Gaming Compact (Jan. 12, 2005))(Carter, Robert) (Entered: 02/12/2020)
02/12/2020	<u>35</u>	ENTRY of Appearance by Robert D Carter on behalf of Quapaw Nation (Carter, Robert) (Entered: 02/12/2020)
02/12/2020	<u>36</u>	ENTRY of Appearance by Charles A Birnie on behalf of Quapaw Nation (Birnie, Charles) (Entered: 02/12/2020)
02/12/2020	<u>37</u>	ENTRY of Appearance by Stephen R Ward on behalf of Quapaw Nation (Ward, Stephen) (Entered: 02/12/2020)
02/12/2020	<u>38</u>	ANSWER to <u>15</u> Answer to Complaint / Disclaimer, Counterclaim,, by Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The.(Holleman, Frank) (Entered: 02/12/2020)
02/13/2020	<u>39</u>	ENTRY of Appearance by Leslie D Taylor on behalf of Delaware Nation (Taylor, Leslie) (Entered: 02/13/2020)
02/13/2020	<u>40</u>	MOTION to Intervene by Delaware Nation. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Attachment Attachment)(Taylor, Leslie) (Entered: 02/13/2020)
02/14/2020	<u>41</u>	ENTRY of Appearance by Robert A Rosette on behalf of The Otoe-Missouria Tribe (Rosette, Robert) (Entered: 02/14/2020)
02/14/2020	<u>42</u>	ENTRY of Appearance by Robert A Rosette on behalf of The Comanche Nation (Rosette, Robert) (Entered: 02/14/2020)
02/14/2020	<u>43</u>	MOTION to Intervene <i>By The Comanche Nation and Attached Exhibit (Proposed Complaint)</i> by The Comanche Nation. (Attachments: # <u>1</u> Exhibit A)(Rosette, Robert) (Entered: 02/14/2020)
02/14/2020	<u>44</u>	ENTRY of Appearance by Robert A Rosette on behalf of The Seminole Nation of Oklahoma (Rosette, Robert) (Entered: 02/14/2020)
02/14/2020	<u>45</u>	

		UNOPPOSED MOTION to Intervene by Ponca Tribe of Indians of Oklahoma. (Attachments: # 1 Attachment Ponca Gaming Compact, # 2 Attachment Ponca Complaint)(Aamodt, Jason) (Entered: 02/14/2020)
02/14/2020	46	ENTRY of Appearance by Jason B Aamodt on behalf of Ponca Tribe of Indians of Oklahoma (Aamodt, Jason) (Entered: 02/14/2020)
02/14/2020	47	MOTION to Intervene by The Seminole Nation of Oklahoma. (Attachments: # 1 Exhibit A – Proposed Complaint in Intervention)(Rosette, Robert) (Entered: 02/14/2020)
02/14/2020	48	MOTION to Intervene by The Otoe–Missouria Tribe. (Attachments: # 1 Exhibit A – Proposed Complaint in Intervention)(Rosette, Robert) (Entered: 02/14/2020)
02/14/2020	49	ORDER granting 34 Motion of the Quapaw Nation to Intervene; granting 40 Motion of the Delaware Nation to Intervene; granting 43 Motion of the Comanche Nation to Intervene; granting 45 Motion of the Ponca Tribe of Indians of Oklahoma to Intervene; granting 47 Motion of the Seminole Nation to Intervene; granting 48 Motion of the Otoe–Missouria Tribe to Intervene. Each of these tribes shall file its proposed Complaint in Intervention within 7 days from the date of this Order. Signed by Honorable Timothy D. DeGiusti on 2/14/2020. (mb) (Entered: 02/14/2020)
02/14/2020	50	ORDER APPOINTING Layn R. Phillips as Mediator. Signed by Honorable Timothy D. DeGiusti on 2/14/2020. (mb) (Entered: 02/14/2020)
02/14/2020	51	ENTRY of Appearance by William R Norman, Jr on behalf of Wichita and Affiliated Tribes (Norman, William) (Entered: 02/14/2020)
02/14/2020	52	ENTRY of Appearance by William G Guedel on behalf of Wichita and Affiliated Tribes (Guedel, William) (Entered: 02/14/2020)
02/14/2020	53	ENTRY of Appearance by Zachary T Stuart on behalf of Wichita and Affiliated Tribes (Stuart, Zachary) (Entered: 02/14/2020)
02/14/2020	54	ENTRY of Appearance by Michael D McMahan on behalf of Wichita and Affiliated Tribes (McMahan, Michael) (Entered: 02/14/2020)
02/14/2020	55	UNOPPOSED MOTION to Intervene by Wichita and Affiliated Tribes. (Attachments: # 1 Exhibit Exhibit A – Wichita Compact, # 2 Exhibit Exhibit B – Proposed Complaint in Intervention)(McMahan, Michael) (Entered: 02/14/2020)
02/14/2020	56	MOTION to Intervene by United Keetoowah Band of Cherokee Indians in Oklahoma. (Attachments: # 1 Exhibit Complaint of Intervenor)(Cowan, Klint) (Entered: 02/14/2020)
02/14/2020	57	ENTRY of Appearance by Klint A Cowan on behalf of United Keetoowah Band of Cherokee Indians in Oklahoma (Cowan, Klint) (Entered: 02/14/2020)
02/14/2020	58	ENTRY of Appearance by Klint A Cowan on behalf of Kialegee Tribal Town (Cowan, Klint) (Entered: 02/14/2020)
02/14/2020	59	MOTION to Intervene by Kialegee Tribal Town. (Attachments: # 1 Exhibit Complaint of Intervenor)(Cowan, Klint) (Entered: 02/14/2020)
02/18/2020	60	RESPONSE in Opposition re 56 MOTION to Intervene , 59 MOTION to Intervene filed by Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The, Citizen Potawatomi Nation, Muscogee Creek Nation. (Holleman, Frank) (Entered:

		02/18/2020)
02/18/2020	<u>61</u>	ORDER granting <u>55</u> Wichita and Affiliated Tribe's Unopposed Motion to Intervene as Co-Plaintiff. Wichita and Affiliated Tribe shall file its proposed Complaint in Intervention within 7 days from the date of this Order, and it may participate in the mediation. IT IS FURTHER ORDERED that the Order for Mediation [Doc. No. 31] is AMENDED to substitute the following paragraph in place of paragraph 10 of that Order: The original parties to the Complaint (Plaintiffs and Defendant) shall pay equal shares of 60 percent of the total amount of the mediators fees and mediation costs, and Intervenors will be responsible for the remaining 40 percent, as Plaintiffs and Intervenors may agree. That is, the three original Plaintiffs and Defendant shall each pay 15 percent of the costs of the mediation, and Intervenors shall collectively pay 40 percent according to a method of division to which the original Plaintiffs and Intervenors agree. If no agreement can be reached, the Court will decide an equitable division at the conclusion of the mediation. Signed by Honorable Timothy D. DeGiusti on 2/18/2020. (mb) (Entered: 02/18/2020)
02/18/2020	<u>62</u>	INTERVENOR COMPLAINT filed by Quapaw Nation.(Carter, Robert) (Entered: 02/18/2020)
02/18/2020	<u>63</u>	INTERVENOR COMPLAINT <i>against Defendant J. Kevin Stitt</i> filed by Wichita and Affiliated Tribes. (Attachments: # <u>1</u> Exhibit A – Wichita Tribe's Gaming Compact)(McMahan, Michael) (Entered: 02/18/2020)
02/19/2020	<u>64</u>	Summons Issued Electronically as to J Kevin Stitt. (kmt) (Entered: 02/19/2020)
02/19/2020	<u>65</u>	ENTRY of Appearance by Matthew D Alison on behalf of Ponca Tribe of Indians of Oklahoma (Alison, Matthew) (Entered: 02/19/2020)
02/19/2020	<u>66</u>	INTERVENOR COMPLAINT filed by Ponca Tribe of Indians of Oklahoma.(Alison, Matthew) (Entered: 02/19/2020)
02/19/2020	<u>67</u>	ORDER directing any objection shall be filed by February 21, 2020, and any reply brief of the movants shall be filed by February 25, 2020 re <u>56</u> MOTION to Intervene filed by United Keetoowah Band of Cherokee Indians in Oklahoma, <u>59</u> MOTION to Intervene filed by Kialegee Tribal Town. Signed by Honorable Timothy D. DeGiusti on 2/19/2020. (mb) . (Entered: 02/19/2020)
02/20/2020	<u>68</u>	INTERVENOR COMPLAINT filed by Delaware Nation.(Taylor, Leslie) (Entered: 02/20/2020)
02/21/2020	<u>69</u>	ENTRY of Appearance by Stuart D Campbell on behalf of The Comanche Nation (Campbell, Stuart) (Entered: 02/21/2020)
02/21/2020	<u>70</u>	ENTRY of Appearance by Stuart D Campbell on behalf of The Otoe-Missouria Tribe (Campbell, Stuart) (Entered: 02/21/2020)
02/21/2020	<u>71</u>	ENTRY of Appearance by Stuart D Campbell on behalf of The Seminole Nation of Oklahoma (Campbell, Stuart) (Entered: 02/21/2020)
02/21/2020	<u>72</u>	INTERVENOR COMPLAINT <i>By The Comanche Nation</i> filed by The Comanche Nation.(Rosette, Robert) (Entered: 02/21/2020)
02/21/2020	<u>73</u>	INTERVENOR COMPLAINT <i>By the Otoe-Missouria Tribe</i> filed by The Otoe-Missouria Tribe.(Rosette, Robert) (Entered: 02/21/2020)
02/21/2020	<u>74</u>	

		INTERVENOR COMPLAINT <i>By the Seminole Nation of Oklahoma</i> filed by The Seminole Nation of Oklahoma.(Rosette, Robert) (Entered: 02/21/2020)
02/25/2020	<u>75</u>	MOTION to Withdraw <u>59</u> MOTION to Intervene by Kialegee Tribal Town. (Cowan, Klint) (Entered: 02/25/2020)
02/25/2020	<u>76</u>	MOTION to Withdraw <u>75</u> MOTION to Withdraw <u>59</u> MOTION to Intervene by Kialegee Tribal Town. (Cowan, Klint) (Entered: 02/25/2020)
02/25/2020	<u>77</u>	Summons Issued Electronically as to J Kevin Stitt. (kmt) (Entered: 02/25/2020)
02/25/2020	<u>78</u>	SUMMONS Returned Executed by Quapaw Nation. J Kevin Stitt served on 2/21/2020. (Carter, Robert) (Entered: 02/25/2020)
02/25/2020	<u>79</u>	ORDER granting <u>76</u> Kialegee Tribal Town to Motion to Withdraw Its Motion to Withdraw Its Motion to Intervene; withdrawing <u>75</u> Motion to Withdraw Motion to Intervene. Signed by Honorable Timothy D. DeGiusti on 2/25/2020. (mb) (Entered: 02/25/2020)
02/25/2020	<u>80</u>	REPLY to Response to Motion re <u>59</u> MOTION to Intervene filed by Kialegee Tribal Town. (Attachments: # <u>1</u> Exhibit KTT Gaming Compact Approved, # <u>2</u> Exhibit Extension of Gaming Compact)(Cowan, Klint) (Entered: 02/25/2020)
02/25/2020	<u>81</u>	REPLY to Response to Motion re <u>56</u> MOTION to Intervene filed by United Keetoowah Band of Cherokee Indians in Oklahoma. (Attachments: # <u>1</u> Exhibit UKB 2019 Gaming Compact, # <u>2</u> Exhibit UKB 2019 Gaming Compact Extension)(Cowan, Klint) (Entered: 02/25/2020)
02/25/2020	<u>82</u>	Summons Issued Electronically as to J Kevin Stitt. (kmt) (Entered: 02/25/2020)
02/25/2020	<u>83</u>	Summons Issued Electronically as to J Kevin Stitt. (kmt) (Entered: 02/25/2020)
02/25/2020	<u>84</u>	Summons Issued Electronically as to J Kevin Stitt. (kmt) (Entered: 02/25/2020)
02/27/2020	<u>85</u>	Summons Issued Electronically as to J Kevin Stitt. (kmt) (Entered: 02/27/2020)
02/27/2020	<u>86</u>	ORDER denying <u>56</u> United Keetoowah Band of Cherokee Indians Motion to Intervene; denying <u>59</u> Kialegee Tribal Town Motion to Intervene. Signed by Honorable Timothy D. DeGiusti on 2/27/2020. (mb) (Entered: 02/27/2020)
03/02/2020	<u>87</u>	ANSWER to <u>29</u> Intervenor Complaint , COUNTERCLAIM against Citizen Potawatomi Nation by J Kevin Stitt. (Attachments: # <u>1</u> Exhibit 1–Citizen Potawatomi Gaming Compact)(Whaley, Phillip) (Entered: 03/02/2020)
03/02/2020	<u>88</u>	ANSWER to Complaint by <i>Intervenor Muscogee (Creek) Nation</i> (Dkt. 30), COUNTERCLAIM against Muscogee Creek Nation by J Kevin Stitt. (Attachments: # <u>1</u> Exhibit 1–Muscogee (Creek) Gaming Compact)(Whaley, Phillip) (Entered: 03/02/2020)
03/05/2020	<u>89</u>	ANSWER to <u>87</u> Answer to Intervenor Complaint, Counterclaim by Citizen Potawatomi Nation.(Wright, George) (Entered: 03/05/2020)
03/05/2020	<u>90</u>	SUMMONS Returned Executed by The Comanche Nation. All Defendants. (Attachments: # <u>1</u> Exhibit A – Proof of Acceptance of Service)(Rosette, Robert) (Entered: 03/05/2020)
03/05/2020	<u>91</u>	SUMMONS Returned Executed by The Seminole Nation of Oklahoma. All Defendants. (Attachments: # <u>1</u> Exhibit A – Proof of Acceptance of Service)(Rosette,

		Robert) (Entered: 03/05/2020)
03/05/2020	<u>92</u>	SUMMONS Returned Executed by The Otoe-Missouria Tribe. All Defendants. (Attachments: # <u>1</u> Exhibit A – Proof of Acceptance of Service)(Rosette, Robert) (Entered: 03/05/2020)
03/06/2020	<u>93</u>	ENTRY of Appearance by Dallas L Dale Strimple on behalf of Ponca Tribe of Indians of Oklahoma (Strimple, Dallas) (Entered: 03/06/2020)
03/07/2020	<u>94</u>	ENTRY of Appearance by Keron Kirke Kickingbird on behalf of Wichita and Affiliated Tribes (Kickingbird, Keron) (Entered: 03/07/2020)
03/09/2020	<u>95</u>	MOTION for Leave to Appear Pro Hac Vice Kyle Brandon Haskins by Muscogee Creek Nation. (mb) (Additional attachment(s) added on 3/10/2020: # <u>1</u> Attachment) (mb). (Entered: 03/10/2020)
03/10/2020	<u>96</u>	Receipt for Money Received in the amount of \$50.00, receipt number OKW500078977 regarding <u>95</u> MOTION for Leave to Appear Pro Hac Vice (kmt) (Entered: 03/10/2020)
03/11/2020	<u>97</u>	ORDER granting <u>95</u> Intervenor Muscogee (Creek) Nation's Motion for Attorney Admission <i>Pro Hac Vice</i> on behalf of Kyle Brandon Haskins. Signed by Honorable Timothy D. DeGiusti on 3/11/20. (kmt) (Entered: 03/11/2020)
03/13/2020	<u>98</u>	ANSWER to <u>62</u> Intervenor Complaint , COUNTERCLAIM against Quapaw Nation by J Kevin Stitt. (Attachments: # <u>1</u> Exhibit 1–Qaupaw Nation Gaming Compact)(Whaley, Phillip) (Entered: 03/13/2020)
03/13/2020	<u>99</u>	SECOND ANSWER to Complaint by Muscogee Creek Nation.(Wiley, Roger) (Entered: 03/13/2020)
03/13/2020	<u>100</u>	ORDER for Status/Scheduling Conference set for 4/3/2020 10:00 AM in Chambers before Honorable Timothy D. DeGiusti. The Court acknowledges that a tailored scheduling order may be appropriate in this case and, therefore, directs the parties to confer and be prepared at the conference to propose an appropriate procedure and schedule to govern the case going forward. If the parties reach an agreement, or an agreement in principle, for a resolution of the case as a result of the ongoing mediation proceeding prior to the date of the conference, it will be stricken upon notice to the Court. Signed by Honorable Timothy D. DeGiusti on 3/13/2020. (mb) (Entered: 03/13/2020)
03/17/2020	<u>101</u>	ENTER ORDER: In light of conditions resulting from the COVID-19 pandemic, thestatus/scheduling conference set for April 3, 2020, is hereby stricken to be reset at a later date. The Court also extends the mediation deadline until May 31, 2020. Signed by Honorable Timothy D. DeGiusti on 3/17/2020. (mb) (Entered: 03/17/2020)
03/17/2020	<u>102</u>	ENTRY of Appearance by Kyle B Haskins on behalf of Muscogee Creek Nation (Haskins, Kyle) (Entered: 03/17/2020)
03/17/2020	<u>103</u>	AMENDED INTERVENOR COMPLAINT filed by Wichita and Affiliated Tribes. (Attachments: # <u>1</u> Exhibit 1 – Wichita Tribe's Gaming Compact)(McMahan, Michael) (Entered: 03/17/2020)
03/18/2020	<u>104</u>	ANSWER to <u>72</u> Intervenor Complaint , COUNTERCLAIM against The Comanche Nation by J Kevin Stitt. (Attachments: # <u>1</u> Exhibit 1–Comanche Nation Gaming Compact)(Whaley, Phillip) (Entered: 03/18/2020)

03/18/2020	<u>105</u>	ANSWER to <u>68</u> Intervenor Complaint , COUNTERCLAIM against Delaware Nation by J Kevin Stitt. (Attachments: # <u>1</u> Exhibit 1–Delaware Nation Gaming Compact)(Whaley, Phillip) (Entered: 03/18/2020)
03/18/2020	<u>106</u>	ANSWER to <u>73</u> Intervenor Complaint , COUNTERCLAIM against The Otoe–Missouria Tribe by J Kevin Stitt. (Attachments: # <u>1</u> Exhibit 1–Otoe–Missouria Tribe Gaming Compact)(Whaley, Phillip) (Entered: 03/18/2020)
03/18/2020	<u>107</u>	ANSWER to <u>74</u> Intervenor Complaint , COUNTERCLAIM against The Seminole Nation of Oklahoma by J Kevin Stitt. (Attachments: # <u>1</u> Exhibit 1–Seminole Nation Gaming Compact)(Whaley, Phillip) (Entered: 03/18/2020)
03/23/2020		(mb) (Entered: 03/23/2020)
03/23/2020	<u>108</u>	NOTICE of Voluntary Dismissal by Ponca Tribe of Indians of Oklahoma (Aamodt, Jason) (Entered: 03/23/2020)
03/31/2020	<u>109</u>	ANSWER to <u>103</u> Intervenor Complaint , COUNTERCLAIM against Wichita and Affiliated Tribes by J Kevin Stitt.(Whaley, Phillip) (Entered: 03/31/2020)
04/03/2020	<u>110</u>	ANSWER to <u>98</u> Answer to Intervenor Complaint, Counterclaim by Quapaw Nation.(Carter, Robert) (Entered: 04/03/2020)
04/08/2020	<u>111</u>	ANSWER to <u>104</u> Answer to Intervenor Complaint, Counterclaim by The Comanche Nation.(Rosette, Robert) (Entered: 04/08/2020)
04/08/2020	<u>112</u>	ANSWER to <u>107</u> Answer to Intervenor Complaint, Counterclaim by The Seminole Nation of Oklahoma.(Rosette, Robert) (Entered: 04/08/2020)
04/08/2020	<u>113</u>	ANSWER to <u>106</u> Answer to Intervenor Complaint, Counterclaim by The Otoe–Missouria Tribe.(Rosette, Robert) (Entered: 04/08/2020)
04/08/2020	<u>114</u>	ANSWER to <u>105</u> Answer to Intervenor Complaint, Counterclaim by Delaware Nation.(Taylor, Leslie) (Entered: 04/08/2020)
04/09/2020	<u>115</u>	ORDER: The Court will conduct a telephonic status and scheduling conference on Tuesday, 4/21/2020 at 10:30 a.m. The Court acknowledges that a tailored scheduling order may be appropriate in this case and, therefore, directs the parties to confer and be prepared at the conference to propose an appropriate procedure and schedule to govern the case going forward. The parties are directed to continue their good faith negotiations within the established mediation procedure through at least the date of the soft deadline for mediation completion set by the Court. If the parties reach an agreement, or an agreement in principle, for a resolution of the case as a result of the ongoing mediation proceeding prior to the date of the conference, it will be stricken upon notice to the Court. Signed by Honorable Timothy D. DeGiusti on 4/9/2020. (mb) (Entered: 04/09/2020)
04/15/2020	<u>116</u>	ENTRY of Appearance by Brett J Stavin on behalf of The Seminole Nation of Oklahoma (Stavin, Brett) (Entered: 04/15/2020)
04/15/2020	<u>117</u>	ENTRY of Appearance by Brett J Stavin on behalf of The Otoe–Missouria Tribe (Stavin, Brett) (Entered: 04/15/2020)
04/15/2020	<u>118</u>	ENTRY of Appearance by Brett J Stavin on behalf of The Comanche Nation (Stavin, Brett) (Entered: 04/15/2020)
04/20/2020	<u>119</u>	

		ENTRY of Appearance by Kaylee P Davis–Maddy on behalf of The Seminole Nation of Oklahoma (Davis–Maddy, Kaylee) (Entered: 04/20/2020)
04/21/2020	<u>120</u>	JOINT MOTION for Leave of Court to File Stipulations of Dismissals with Prejudice by J Kevin Stitt, The Comanche Nation, The Otoe–Missouria Tribe. (Attachments: # <u>1</u> Exhibit 1 – Joint Stipulation between Comanche and State, # <u>2</u> Exhibit 2 – Joint Stipulation between Otoe and State)(Felty, Matthew) (Entered: 04/21/2020)
04/21/2020	<u>121</u>	ANSWER to <u>109</u> Answer to Intervenor Complaint, Counterclaim by Wichita and Affiliated Tribes.(McMahan, Michael) (Entered: 04/21/2020)
04/23/2020	<u>122</u>	SCHEDULING ORDER: Not later than 5/22/2020, the parties shall simultaneously file cross–motions for partial summary judgment on the issue of whether the Tribal Gaming Compact entered between each Plaintiff or Intervenor and the State of Oklahoma automatically renewed or terminated pursuant to Part 15.B. Plaintiffs and Intervenors shall join together in filing a single motion and brief, but one additional motion may be filed if deemed necessary for effective advocacy by Intervenor(s) who wish to present additional arguments. Defendants may file only one motion. The supporting brief for each motion may exceed the page limitation of LCvR7.1(e) but may not exceed 40 pages in length. Response briefs are due within the usual time provided by LCvR7.1(g) unless otherwise ordered by the Court upon separate motion. No reply briefs shall be filed without leave of Court upon a showing of good cause. Mediation deadline extended to 6/30/2020. Signed by Honorable Timothy D. DeGiusti on 4/23/2020. (mb) (Entered: 04/23/2020)
04/24/2020	<u>123</u>	RESPONSE to Motion re <u>120</u> JOINT MOTION for Leave of Court to File Stipulations of Dismissals with Prejudice filed by Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The, Citizen Potawatomi Nation, Delaware Nation, Muscogee Creek Nation, Quapaw Nation, Wichita and Affiliated Tribes. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Holleman, Frank) (Entered: 04/24/2020)
04/24/2020	<u>124</u>	ORDER granting <u>120</u> Joint Motion for Leave of Court to File Stipulations of Dismissals with Prejudice. Plaintiff/Intervenor The Comanche Nation against Defendants and the action of Plaintiff/Intervenor The Otoe–Missouria Tribeagainst Defendants, including all claims and counterclaims between these parties, are DISMISSED WITH PREJUDICE. If otherwise required by the terms of their settlement agreements (which are not before the Court), the movants shall file their Joint Stipulations of Dismissals with Prejudice within 7 days from the date of this Order. Signed by Honorable Timothy D. DeGiusti on 4/24/2020. (mb) (Entered: 04/24/2020)
05/22/2020	<u>125</u>	MOTION for Partial Summary Judgment by Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The, Citizen Potawatomi Nation, Delaware Nation, Muscogee Creek Nation, Quapaw Nation, The Seminole Nation of Oklahoma. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit Exhibit 1: Cherokee Gaming Ordinance, # <u>3</u> Exhibit Exhibit 2: Cherokee Ordinance Approval Letter, # <u>4</u> Exhibit Exhibit 3: Chickasaw Gaming Ordinance, # <u>5</u> Exhibit Exhibit 4: Chickasaw Ordinance Approval Letter, # <u>6</u> Exhibit Exhibit 5: Choctaw Gaming Ordinance, # <u>7</u> Exhibit Exhibit 6: Choctaw Ordinance Approval Letter, # <u>8</u> Exhibit Exhibit 7: Citizen Potawatomi Gaming Ordinance, # <u>9</u> Exhibit Exhibit 8: Citizen Potawatomi Ordinance Approval Letter, # <u>10</u> Exhibit Exhibit 9: Delaware Gaming Ordinance, # <u>11</u> Exhibit Exhibit 10: Delaware Ordinance Approval Letter, # <u>12</u> Exhibit Exhibit 11: Muscogee (Creek) Gaming Ordinance, # <u>13</u> Exhibit Exhibit 12: Muscogee (Creek) Ordinance

		Approval Letter, # <u>14</u> Exhibit Exhibit 13: Quapaw Gaming Ordinance, # <u>15</u> Exhibit Exhibit 14: Quapaw Ordinance Approval Letter, # <u>16</u> Exhibit Exhibit 15: Seminole Gaming Ordinance, # <u>17</u> Exhibit Exhibit 16: Seminole Ordinance Approval Letter, # <u>18</u> Exhibit Exhibit 17: Cherokee Compact, # <u>19</u> Exhibit Exhibit 18: Chickasaw Compact, # <u>20</u> Exhibit Exhibit 19: Choctaw Compact, # <u>21</u> Exhibit Exhibit 20: Citizen Potawatomi Compact, # <u>22</u> Exhibit Exhibit 21: Delaware Compact, # <u>23</u> Exhibit Exhibit 22: Muscogee (Creek) Compact, # <u>24</u> Exhibit Exhibit 23: Quapaw Compact, # <u>25</u> Exhibit Exhibit 24: Seminole Compact, # <u>26</u> Exhibit Exhibit 25: Cherokee Compact Approval Letter, # <u>27</u> Exhibit Exhibit 26: Chickasaw Compact Approval Letter, # <u>28</u> Exhibit Exhibit 27: Choctaw Compact Approval Letter, # <u>29</u> Exhibit Exhibit 28: Citizen Potawatomi Compact Approval Letter, # <u>30</u> Exhibit Exhibit 29: Delaware Compact Approval Letter, # <u>31</u> Exhibit Exhibit 30: Muscogee (Creek) Compact Approval Letter, # <u>32</u> Exhibit Exhibit 31: Quapaw Compact Approval Letter, # <u>33</u> Exhibit Exhibit 32: Seminole Compact Approval Letter, # <u>34</u> Exhibit Exhibit 33: OHRC License for Remington Park, # <u>35</u> Exhibit Exhibit 34: OHRC License for Will Rogers Downs, # <u>36</u> Exhibit Exhibit 35: Quapaw Supplemental Compact, # <u>37</u> Exhibit Exhibit 36: Quapaw Supplemental Compact Approval Letter, # <u>38</u> Exhibit Exhibit 37: Gov Stitt Letter to P Chief Baker, # <u>39</u> Exhibit Exhibit 38: Gov Stitt Letter to Gov Anoatubby, # <u>40</u> Exhibit Exhibit 39: Gov Stitt Letter to Chief Batton, # <u>41</u> Exhibit Exhibit 40: Gov Stitt Letter to P Chief Floyd, # <u>42</u> Affidavit Jordan Certifying Affidavit, # <u>43</u> Affidavit Anoatubby Certifying Affidavit, # <u>44</u> Affidavit McKaughan Certifying Affidavit, # <u>45</u> Affidavit Moucka Certifying Affidavit, # <u>46</u> Affidavit Brower Certifying Affidavit, # <u>47</u> Affidavit Combs Certifying Affidavit, # <u>48</u> Affidavit Smiley–Reeves Certifying Affidavit, # <u>49</u> Affidavit Chilcoat Certifying Affidavit)(Holleman, Frank) (Entered: 05/22/2020)
05/22/2020	<u>126</u>	MOTION for Partial Summary Judgment & <i>Brief in Support Regarding Part 15(B) Expiration of the Compacts at Issue</i> by All Defendants. (Whaley, Phillip) (Entered: 05/22/2020)
05/22/2020	<u>127</u>	MOTION for Partial Summary Judgment <i>WITH BRIEF IN SUPPORT</i> by Wichita and Affiliated Tribes. (McMahan, Michael) (Entered: 05/22/2020)
05/22/2020	<u>128</u>	AMENDED MOTION for Partial Summary Judgment <i>WITH BRIEF IN SUPPORT (Amended to Correct Doc. 127)</i> by Wichita and Affiliated Tribes. (McMahan, Michael) (Entered: 05/22/2020)
05/26/2020	<u>129</u>	UNOPPOSED MOTION for Leave , <i>nunc pro tunc</i> , to File Amended Motion for Partial Summary Judgment by Wichita and Affiliated Tribes. (McMahan, Michael) (Entered: 05/26/2020)
05/26/2020	<u>130</u>	ORDER granting <u>129</u> Intervenor–Plaintiff Wichita and Affiliated Tribes' Motion for Leave, Nunc Pro Tunc, to File Amended Motion for Partial Summary Judgment. Intervenor–Plaintiff Wichita and Affiliated Tribes Amended Motion for Partial Summary Judgment [Doc. No. 128] is accepted and its Motion for Partial Summary Judgment [Doc. No. 127] is stricken as filed in error. Signed by Honorable Timothy D. DeGiusti on 5/26/2020. (mb) (Entered: 05/26/2020)
05/28/2020	<u>131</u>	MOTION to Clarify <i>Parties' Authority to Comply with Court's Mediation Order and Brief in Support</i> by J Kevin Stitt(in his official capacity as the Governor of the State of Oklahoma). (Attachments: # <u>1</u> Exhibit 1–Ltr to Secretary Bernhardt from Wichita & Affiliated Tribes, # <u>2</u> Exhibit 2–Ltr to Secretary Bernhardt from Otoe/Comanche, # <u>3</u> Exhibit 3–Comanche 2020 Compact, # <u>4</u> Exhibit 4–AG Hunter Presentation, # <u>5</u> Exhibit 5–Tribes' Ltr to AG Hunter, # <u>6</u> Exhibit 6–Ltr to Secretary Bernhardt from

		AG Hunter, # 7 Exhibit 7–Ltr to Secretary Bernhardt from Chickasaw Nation, # 8 Exhibit 8–Ltr to Asst. Secretary of Indian Affairs from Quapaw Nation, # 9 Exhibit 9–OIGA News Release, # 10 Exhibit 10–Native News Online Article, # 11 Exhibit 11–KFOR.com Article)(Whaley, Phillip) (Entered: 05/28/2020)
05/28/2020	132	MOTION for Order to <i>Hold Mediation in Abeyance Pending Resolution of Motion to Clarify</i> by J Kevin Stitt(in his official capacity as the Governor of the State of Oklahoma). (Whaley, Phillip) (Entered: 05/28/2020)
06/02/2020	133	UNOPPOSED MOTION for Leave <i>Nunc Pro Tunc to File Corrected Exhibit to Opening Brief in Support of Motion for Partial Summary Judgment</i> by Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The, Citizen Potawatomi Nation, Delaware Nation, Muscogee Creek Nation, Quapaw Nation, The Seminole Nation of Oklahoma. (Attachments: # 1 Exhibit Corrected Exhibit 34: OHRC License for Will Rogers Downs)(Holleman, Frank) (Entered: 06/02/2020)
06/02/2020	134	ORDER granting 133 Motion for Leave to File Corrected Exhibit. Plaintiffs/Intervenors are authorized to file a corrected Exhibit 34 to be considered in its place, provided the exhibit is clearly labeled and electronically filed to show it is related to Plaintiffs/Intervenors Brief in Support of Motion for Partial Summary Judgment [Doc No. 125–1].. Signed by Honorable Timothy D. DeGiusti on 6/2/2020. (mb) (Entered: 06/02/2020)
06/03/2020	135	NOTICE (other) by Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The, Citizen Potawatomi Nation, Delaware Nation, Muscogee Creek Nation, Quapaw Nation, The Seminole Nation of Oklahoma re 125 MOTION for Partial Summary Judgment of <i>Filing of Corrected Exhibit 34 to Brief in Support of Partial Motion for Summary Judgment</i> (Attachments: # 1 Attachment Corrected Exhibit 34 to Brief in Support of Partial Motion for Summary Judgment)(Holleman, Frank) (Entered: 06/03/2020)
06/03/2020	136	ORDER that Plaintiffs and Intervenors shall respond not later than 6/12/2020 re 131 MOTION to Clarify <i>Parties' Authority to Comply with Court's Mediation Order and Brief in Support</i> filed by J Kevin Stitt. No reply brief shall be filed without leave of court. Signed by Honorable Timothy D. DeGiusti on 6/3/2020. (mb) (Entered: 06/03/2020)
06/11/2020	137	ENTRY of Appearance by Keron Kirke Kickingbird on behalf of Wichita and Affiliated Tribes (Kickingbird, Keron) (Entered: 06/11/2020)
06/11/2020	138	RESPONSE in Opposition re 132 MOTION for Order to <i>Hold Mediation in Abeyance Pending Resolution of Motion to Clarify</i> , 131 MOTION to Clarify <i>Parties' Authority to Comply with Court's Mediation Order and Brief in Support</i> filed by Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The, Citizen Potawatomi Nation, Delaware Nation, Quapaw Nation. (Attachments: # 1 Exhibit Exhibit 1 – Filings in Treat v Stitt)(Holleman, Frank) (Entered: 06/11/2020)
06/11/2020	139	RESPONSE in Opposition re 132 MOTION for Order to <i>Hold Mediation in Abeyance Pending Resolution of Motion to Clarify</i> , 131 MOTION to Clarify <i>Parties' Authority to Comply with Court's Mediation Order and Brief in Support</i> filed by Wichita and Affiliated Tribes. (Attachments: # 1 Exhibit 1 – May 5, 2020, Correspondence from President Terri Parton to Department of Interior)(McMahan, Michael) (Entered: 06/11/2020)
06/12/2020	140	

		RESPONSE in Opposition re <u>126</u> MOTION for Partial Summary Judgment & <i>Brief in Support Regarding Part 15(B) Expiration of the Compacts at Issue</i> filed by Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The, Citizen Potawatomi Nation, Delaware Nation, Muscogee Creek Nation, Quapaw Nation. (Attachments: # <u>1</u> Exhibit Exhibit 1 – Inter-Tribal Council Resolution, # <u>2</u> Affidavit Blackfox Certifying Affidavit)(Holleman, Frank) (Entered: 06/12/2020)
06/12/2020	<u>141</u>	RESPONSE in Opposition re <u>125</u> MOTION for Partial Summary Judgment filed by J Kevin Stitt. (Whaley, Phillip) (Entered: 06/12/2020)
06/12/2020	<u>142</u>	RESPONSE in Opposition re <u>128</u> AMENDED MOTION for Partial Summary Judgment <i>WITH BRIEF IN SUPPORT (Amended to Correct Doc. 127)</i> filed by J Kevin Stitt. (Attachments: # <u>1</u> Exhibit 1–Affidavit of Jay Finks)(Whaley, Phillip) (Entered: 06/12/2020)
06/12/2020	<u>143</u>	MOTION for Leave to File Reply <i>in Support of Motion to Clarify Parties' Authority to Comply with Court's Mediation Order (Dkt. 131)</i> by J Kevin Stitt(in his official capacity as the Governor of the State of Oklahoma). (Whaley, Phillip) (Entered: 06/12/2020)
06/12/2020	<u>144</u>	MOTION for Leave to File Response to Application to Assume Original Jurisdiction to be Filed in the Oklahoma Supreme Court in This Court's Record by J Kevin Stitt(in his official capacity as the Governor of the State of Oklahoma). (Whaley, Phillip) (Entered: 06/12/2020)
06/12/2020	<u>145</u>	RESPONSE in Opposition re <u>126</u> MOTION for Partial Summary Judgment & <i>Brief in Support Regarding Part 15(B) Expiration of the Compacts at Issue</i> filed by Wichita and Affiliated Tribes. (McMahan, Michael) (Entered: 06/12/2020)
06/12/2020	<u>146</u>	RESPONSE in Opposition re <u>126</u> MOTION for Partial Summary Judgment & <i>Brief in Support Regarding Part 15(B) Expiration of the Compacts at Issue</i> filed by The Seminole Nation of Oklahoma. (Stavin, Brett) (Entered: 06/12/2020)
06/15/2020	<u>147</u>	RESPONSE in Opposition re <u>143</u> MOTION for Leave to File Reply <i>in Support of Motion to Clarify Parties' Authority to Comply with Court's Mediation Order (Dkt. 131)</i> , <u>144</u> MOTION for Leave to File Response to Application to Assume Original Jurisdiction to be Filed in the Oklahoma Supreme Court in This Court's Record filed by Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The, Citizen Potawatomi Nation, Delaware Nation, Muscogee Creek Nation, Quapaw Nation, Wichita and Affiliated Tribes. (Holleman, Frank) (Entered: 06/15/2020)
06/15/2020	<u>148</u>	ORDER denying <u>131</u> Motion to Clarify Parties Authority to Comply with Courts Mediation Order; denying as moot <u>132</u> Motion to Hold Mediation in Abeyance Pending Resolution; denying as moot <u>143</u> Motion for Leave to File Reply Brief in Support of Motion to Clarify; denying as moot <u>144</u> Motion for Leave to File Response to Application to Assume Original Jurisdiction to Be Filed in the Oklahoma Supreme Court in This Courts Record. Signed by Honorable Timothy D. DeGiusti on 6/15/2020. (mb) (Entered: 06/15/2020)
07/20/2020		IMPORTANT NOTICE: The United States District Court for the Western District of Oklahoma (OKWD) is upgrading its current CM/ECF system to the Next Generation of CM/ECF (NextGen CM/ECF) on Monday, August 3, 2020. Complete information regarding the OKWD NextGen CM/ECF implementation is available at http://www.okwd.uscourts.gov/nextgen-information .****Currently, you may share a single PACER account with other attorneys in your firm. With the new OKWD

		NextGen CM/ECF system, sharing of individual PACER accounts is prohibited. You must have an individual upgraded PACER account linked to your e-filing account. Once again, shared PACER accounts cannot be used by OKWD e-filing attorneys. ****Preparing for NextGen CM/ECF is a two-step process. Step one is to upgrade your PACER account and step two is to link your upgraded PACER account to the OKWD e-filing account in the upgraded NextGen CM/ECF system. This notice only addresses the first step because the second step cannot be completed until on or after August 3, 2020. ****Many PACER accounts have already been upgraded. The first step is to determine whether you have an "Upgraded" PACER account. If any of the following is true, you have an upgraded PACER account and no action is required until after the OKWD NextGen CM/ECF upgrade on August 3, 2020: 1) You have an upgraded PACER account for another NextGen court or 2) Your PACER account was created after August 10, 2014. If neither of these is true, you must upgrade your legacy PACER account before you can link your PACER account to your new NextGen CM/ECF account. ****OKWD's current CM/ECF system will NOT be available from 11:00 AM on 07/31/20 until 8:00 AM on 08/03/20 due to the upgrade. ****Additional notices will be sent at a later date regarding the second step of this process. If you have questions, please contact the PACER Service Center at 800-676-6856 or the OKWD Clerk's Office CM/ECF Help Desk at 405-609-5555. (Pigott, William) (ADI) (Entered: 07/20/2020)
07/28/2020	<u>149</u>	ORDER granting <u>125</u> Plaintiffs' and Plaintiffs-in-Intervention's Motion for Partial Summary Judgment; denying <u>126</u> Defendant's Motion for Partial Summary Judgment; granting <u>128</u> Plaintiff-Intervenor Wichita and Affiliated Tribes' Amended Motion for Partial Summary Judgment. Signed by Honorable Timothy D. DeGiusti on 7/28/2020. (mb) (Entered: 07/28/2020)
08/07/2020	<u>150</u>	NOTICE (other) by Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The, Citizen Potawatomi Nation, Delaware Nation, Muscogee Creek Nation, Quapaw Nation, Wichita and Affiliated Tribes re <u>149</u> Order on Motion for Partial Summary Judgment, , , , <i>Of Issues Remaining for Decision</i> (Holleman, Frank) (Entered: 08/07/2020)
08/07/2020	<u>151</u>	NOTICE (other) by J Kevin Stitt re <u>149</u> Order on Motion for Partial Summary Judgment, , , , <i>Regarding Issues Remaining for Decision</i> (Whaley, Phillip) (Entered: 08/07/2020)
08/07/2020	<u>152</u>	NOTICE (other) by Wichita and Affiliated Tribes re <u>149</u> Order on Motion for Partial Summary Judgment, , , , (McMahan, Michael) (Entered: 08/07/2020)
08/21/2020	<u>153</u>	ORDER that any Rule 54(b) motion shall be filed within 14 days from the date of this Order. Signed by Honorable Timothy D. DeGiusti on 8/21/2020. (mb) (Entered: 08/21/2020)
08/28/2020	<u>154</u>	MOTION for Entry of Judgment under Rule 54(b) <i>on Renewal Claims</i> by Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The, Citizen Potawatomi Nation, Delaware Nation, Muscogee Creek Nation, Quapaw Nation, Wichita and Affiliated Tribes. (Holleman, Frank) (Entered: 08/28/2020)
09/04/2020	<u>155</u>	RESPONSE to Motion re <u>154</u> MOTION for Entry of Judgment under Rule 54(b) <i>on Renewal Claims</i> filed by J Kevin Stitt(in his official capacity as the Governor of the State of Oklahoma). (Whaley, Phillip) (Entered: 09/04/2020)
09/23/2020	<u>156</u>	ORDER granting <u>154</u> Plaintiffs Cherokee Nation, Chickasaw Nation, and Choctaw Nation, and Plaintiffs-in-Intervention Citizen Potawatomi Nation, Delaware Nation,

		Muscogee (Creek) Nation, Quapaw Nation, and Wichita and Affiliated Tribes Motion for Final Judgment on Renewal Claims. The Clerk is directed to enter a final judgment on all claims and counterclaims resolved by the Order of July 28, 2020. Signed by Honorable Timothy D. DeGiusti on 9/23/2020. (mb) (Entered: 09/23/2020)
09/23/2020	<u>157</u>	FINAL JUDGMENT in favor of Cherokee Nation, The, Chickasaw Nation, The, Choctaw Nation, The, Citizen Potawatomi Nation, Delaware Nation, Muscogee Creek Nation, Quapaw Nation, The Seminole Nation of Oklahoma, Wichita and Affiliated Tribes against J Kevin Stitt. Signed by Honorable Timothy D. DeGiusti on 9/23/2020. (mb) (Entered: 09/23/2020)
10/07/2020	<u>158</u>	UNOPPOSED MOTION for Extension of Time by Wichita and Affiliated Tribes. (Attachments: # <u>1</u> Attachment Proposed Order)(McMahan, Michael) (Entered: 10/07/2020)
10/08/2020	<u>159</u>	ORDER granting <u>158</u> Wichita and Affiliated Tribes Motion for Extension of Time. Any motion for attorney fees under Fed. R. Civ. P. 54(d)(2), as to all claims, due not later than 14 days after the entry of a final judgment on the remaining claims. Signed by Honorable Timothy D. DeGiusti on 10/8/2020. (mb) (Entered: 10/08/2020)
12/08/2020	<u>160</u>	DOCKET: Scheduling Conference set for 1/7/2021 11:00 AM in Chambers before Honorable Timothy D. DeGiusti. Status Report due by 1/4/2021. (mb) (Entered: 12/08/2020)
12/30/2020	<u>161</u>	ORDER: Unless the Court directs otherwise, the case Scheduling Order will be issued based on the parties Joint Status Report. Should the Court decide that a scheduling conference is necessary, the conference will be conducted telephonically, pursuant to the Courts Chambers Rules located on the Courts website. Signed by Honorable Timothy D. DeGiusti on 12/30/2020. (mb) (Entered: 12/30/2020)
01/04/2021	<u>162</u>	JOINT STATUS REPORT AND DISCOVERY PLAN by Intervenor Plaintiff Wichita and Affiliated Tribes, Counter Defendant Wichita and Affiliated Tribes. (McMahan, Michael) (Entered: 01/04/2021)
01/06/2021	<u>163</u>	SCHEDULING ORDER: Motions to join due 14 days; Motions to amend due 14 days; Pla expert witness list and expert reports due 5/4/2021; Dft expert witness list and expert reports due 5/18/2021; Pla witness list due 5/18/2021; Pla exhibit list due 5/18/2021; Motions in limine due 8/6/2021; Jury instructions due 8/6/2021; Voir dire requests due 8/6/2021; Discovery due by 7/6/2021. Jury Trial set for 9/14/2021 09:30 AM in Courtroom 301 before Honorable Timothy D. DeGiusti. Motions due by 7/6/2021. Pretrial Report due by 8/6/2021.. Signed by Honorable Timothy D. DeGiusti on 1/6/2021. (mb) (Main Document 163 replaced on 1/6/2021) (mb). (Entered: 01/06/2021)
02/18/2021	<u>164</u>	NOTICE of Change of Address by William R Norman, Jr (Norman, William) (Entered: 02/18/2021)
02/18/2021	<u>165</u>	NOTICE of Change of Address by William R Norman, Jr (Norman, William) (Entered: 02/18/2021)
02/18/2021	<u>166</u>	NOTICE of Change of Address by Michael D McMahan (McMahan, Michael) (Entered: 02/18/2021)
02/18/2021	<u>167</u>	NOTICE of Change of Address by Michael D McMahan (McMahan, Michael) (Entered: 02/18/2021)

02/18/2021	<u>168</u>	NOTICE of Change of Address by Zachary T Stuart (Stuart, Zachary) (Entered: 02/18/2021)
02/18/2021	<u>169</u>	NOTICE of Change of Address by Keron Kirke Kickingbird (Kickingbird, Keron) (Entered: 02/18/2021)
02/18/2021	<u>170</u>	NOTICE of Change of Address by William G Guedel (Guedel, William) (Entered: 02/18/2021)
04/27/2021	<u>171</u>	ENTRY of Appearance by Mithun S Mansinghani on behalf of All Defendants (Mansinghani, Mithun) (Entered: 04/27/2021)
04/27/2021	<u>172</u>	ENTRY of Appearance by Randall J Yates on behalf of All Defendants (Yates, Randall) (Entered: 04/27/2021)
04/27/2021	<u>173</u>	ENTRY of Appearance by Bryan G Cleveland on behalf of All Defendants (Cleveland, Bryan) (Entered: 04/27/2021)
04/29/2021	<u>174</u>	JOINT MOTION to Stay Case by J Kevin Stitt(in his official capacity as the Governor of the State of Oklahoma), Wichita and Affiliated Tribes. (Attachments: # <u>1</u> Exhibit Exhibit A – Proposed Order)(McMahan, Michael) (Entered: 04/29/2021)
04/30/2021	<u>175</u>	ORDER granting <u>174</u> Motion to Stay Case. Case is stayed for a period of 90 days from the date of this Order. At the conclusion of the 90–day stay, the parties shall file a joint motion and submit a new proposed schedule that addresses all unexpired deadlines under the existing Scheduling Order (mb) (Entered: 04/30/2021)
05/11/2021	<u>176</u>	MOTION to Withdraw as Attorney <i>on Behalf of Phillip G. Whaley, Daniel G. Webber, Jr., Patrick R. Pearce, Jr., Matthew C. Kane, Steven K. Mullins, Matthew K. Felty, Mark E. Burget and Jeffrey C. Cartmell</i> by J Kevin Stitt(in his official capacity as the Governor of the State of Oklahoma). (Whaley, Phillip) (Entered: 05/11/2021)
05/12/2021	<u>177</u>	ORDER granting <u>176</u> Motion to Withdraw as Attorney. Attorney Matthew K Felty; Matthew C Kane; Steven K Mullins; Patrick R Pearce, Jr; Daniel G Webber, Jr; Phillip G Whaley; Mark E Burget and Jeffrey C Cartmell terminated. Signed by Honorable Timothy D. DeGiusti on 5/12/2021. (mb) (Entered: 05/12/2021)
07/27/2021	<u>178</u>	JOINT MOTION for Extension of Time <i>to Extend Stay</i> by Wichita and Affiliated Tribes. (Attachments: # <u>1</u> Exhibit Proposed Order)(McMahan, Michael) (Entered: 07/27/2021)
07/30/2021	<u>179</u>	ORDER granting <u>178</u> Parties' Joint Motion to Extend Stay. Stay extended for additional 60 days. Parties shall file a joint motion and submit a new proposed schedule that addresses all unexpired deadlines at the conclusion of the stay. Signed by Honorable Timothy D. DeGiusti on 7/30/2021. (mb) (Entered: 07/30/2021)
08/13/2021		Jury Trial stricken due to the stay of proceedings (mb) (Entered: 08/13/2021)
09/28/2021	<u>180</u>	JOINT MOTION for Order <i>SCHEDULING ORDER</i> by Wichita and Affiliated Tribes. (Attachments: # <u>1</u> Exhibit Exhibit A – Proposed Order)(McMahan, Michael) (Entered: 09/28/2021)
10/01/2021	<u>181</u>	ORDER granting in part and denying Joint Motion for Scheduling Order <u>180</u> . Dispositive motions due 10/29/2021. Signed by Judge Timothy D. DeGiusti on 10/1/2021. (mb) (Entered: 10/01/2021)
10/29/2021	<u>182</u>	

		MOTION for Summary Judgment by J Kevin Stitt. (Attachments: # <u>1</u> Exhibit 1 – Decl of Finks, # <u>2</u> Exhibit 2 – Henry Article, # <u>3</u> Exhibit 3 – Thornton Article)(Yates, Randall) (Entered: 10/29/2021)
10/29/2021	<u>183</u>	MOTION for Summary Judgment by Wichita and Affiliated Tribes. (Attachments: # <u>1</u> Exhibit Exhibit A – Lottery Commission Meeting Minutes, # <u>2</u> Exhibit Exhibit B – Gold Rush Giveaway Internet Promotion)(McMahan, Michael) (Entered: 10/29/2021)
11/16/2021	<u>184</u>	MOTION to Withdraw as Attorney <i>for Defendant</i> by J Kevin Stitt. (Cleveland, Bryan) (Entered: 11/16/2021)
11/16/2021	<u>185</u>	UNOPPOSED MOTION for Extension of Time to File Response/Reply as to <u>183</u> MOTION for Summary Judgment by J Kevin Stitt. (Cleveland, Bryan) (Entered: 11/16/2021)
11/16/2021	<u>186</u>	MOTION to Withdraw as Attorney by Wichita and Affiliated Tribes. (McMahan, Michael) (Entered: 11/16/2021)
11/18/2021	<u>187</u>	ORDER granting <u>184</u> Motion to Withdraw as Attorney. Attorney Randall J Yates terminated. Signed by Chief Judge Timothy D. DeGiusti on 11/18/2021. (mb) (Entered: 11/18/2021)
11/18/2021	<u>188</u>	ORDER granting <u>185</u> Motion for Extension of Time to File Response re <u>185</u> UNOPPOSED MOTION for Extension of Time to File Response/Reply as to <u>183</u> MOTION for Summary Judgment , <u>183</u> MOTION for Summary Judgment , <u>182</u> MOTION for Summary Judgment Responses due by 12/3/2021. Signed by Chief Judge Timothy D. DeGiusti on 11/18/2021. (mb) (Entered: 11/18/2021)
12/03/2021	<u>189</u>	RESPONSE in Opposition re <u>183</u> MOTION for Summary Judgment filed by J Kevin Stitt. (Cleveland, Bryan) (Entered: 12/03/2021)
12/03/2021	<u>190</u>	RESPONSE to Motion re <u>182</u> MOTION for Summary Judgment filed by Wichita and Affiliated Tribes. (Attachments: # <u>1</u> Exhibit Exhibit A – July 5, 2019, Letter from Governor Stitt to Wichita Tribe, # <u>2</u> Exhibit Exhibit B – July 26, 2019, Letter from Multiple Tribes to Governor Stitt, # <u>3</u> Exhibit Exhibit C – August 28, 2019, Letter from Multiple Tribes to Governor Stitt, # <u>4</u> Exhibit Exhibit D – December 6, 2004, Letter from Governor Brad Henry to Department of Interior)(McMahan, Michael) (Entered: 12/03/2021)
04/29/2022	<u>191</u>	ORDER granting <u>186</u> Motion to Withdraw as Attorney. Attorney Michael D McMahan terminated. Signed by Chief Judge Timothy D. DeGiusti on 4/29/2022. (mb) (Entered: 04/29/2022)
12/29/2022	<u>192</u>	MOTION to Supplement <i>MOTION TO SUPPLEMENT THE RECORD OF SUMMARY JUDGMENT</i> by Wichita and Affiliated Tribes. (Attachments: # <u>1</u> Exhibit Exhibit A – Examples from Lottery Commission App, # <u>2</u> Exhibit Exhibit B – Plus the Money Promotion, # <u>3</u> Exhibit Exhibit C – Tool Set Promotion)(McMahan, Michael) (Entered: 12/29/2022)
02/24/2023	<u>193</u>	ORDER granting <u>182</u> Defendants Motion for Summary Judgment; denying <u>183</u> Plaintiff–Intervenors Motion for Summary Judgment; denying as moot <u>192</u> Plaintiffs Motion to Supplement the Record of Summary Judgment. Signed by Chief Judge Timothy D. DeGiusti on 2/24/2023. (mb) (Entered: 02/24/2023)
02/27/2023	<u>194</u>	ENTRY of Appearance by Garry M Gaskins, II on behalf of J Kevin Stitt (Gaskins, Garry) (Entered: 02/27/2023)

02/27/2023	<u>195</u>	ENTRY of Appearance by Zachary P West on behalf of J Kevin Stitt (West, Zachary) (Entered: 02/27/2023)
02/27/2023	<u>196</u>	ENTRY of Appearance by Kyle Peppler on behalf of J Kevin Stitt (Peppler, Kyle) (Entered: 02/27/2023)
02/27/2023	<u>197</u>	MOTION to Withdraw as Attorney <i>Bryan Cleveland</i> by J Kevin Stitt. (West, Zachary) (Entered: 02/27/2023)
02/28/2023	<u>198</u>	MOTION to Withdraw as Attorney <i>Mithun Mansinghani</i> by J Kevin Stitt. (West, Zachary) (Entered: 02/28/2023)
02/28/2023	<u>199</u>	ORDER granting <u>197</u> Motion to Withdraw as Attorney. Attorney Bryan G Cleveland terminated. Signed by Chief Judge Timothy D. DeGiusti on 2/28/2023. (mb) (Entered: 02/28/2023)
02/28/2023	<u>200</u>	ORDER granting <u>198</u> Motion to Withdraw as Attorney. Attorney Mithun S Mansinghani terminated. Signed by Chief Judge Timothy D. DeGiusti on 2/28/2023. (mb) (Entered: 02/28/2023)
03/10/2023	<u>201</u>	STIPULATION re <u>109</u> Answer to Intervenor Complaint, Counterclaim <i>Joint Stipulation of Dismissal of Defendant's Counterclaim (filed by Plaintiff with permission of Defendant's counsel)</i> by J Kevin Stitt(in his official capacity as the Governor of the State of Oklahoma), Wichita and Affiliated Tribes. (McMahan, Michael) (Entered: 03/10/2023)
03/13/2023	<u>202</u>	FINAL JUDGMENT favor of J Kevin Stitt against Wichita and Affiliated Tribes. Signed by Chief Judge Timothy D. DeGiusti on 3/13/2023. (mb) (Entered: 03/13/2023)
03/27/2023	<u>203</u>	NOTICE OF APPEAL as to <u>193</u> Order on Motion for Summary Judgment,, Order on Motion to Supplement,,, <u>202</u> Judgment by Wichita and Affiliated Tribes. Filing fee \$ 505, receipt number AOKWDC-4122140. (McMahan, Michael) (Entered: 03/27/2023)

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

FINAL JUDGMENT

Pursuant to the Order issued February 24, 2023 [Doc. No. 193], and the Joint Stipulation of Dismissal filed March 10, 2023 [Doc. No. 201], judgment is hereby entered in favor of Defendant J. Kevin Stitt in his official capacity as Governor of the State of Oklahoma on all remaining claims asserted by Plaintiff-Intervenor Wichita and Affiliated Tribes, except its claim for damages is dismissed without prejudice. The remaining counterclaim was voluntarily dismissed pursuant to Fed. R. Civ. P. (1)(A)(c), as stated in the Joint Stipulation.

ENTERED this 13th day of March, 2023.

Timothy D. DeGiusti

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

(1) WICHITA AND AFFILIATED
TRIBES, a federally recognized Indian
tribe,

Plaintiff,

v.

(1) J. KEVIN STITT, in his official
capacity as the Governor of the State of
Oklahoma,

Defendant.

No. CIV-19-1198-D

NOTICE OF APPEAL

Notice is hereby given that the Wichita and Affiliated Tribes (Wichita, Keechi, Waco, and Tawakoni) ("Wichita Tribe"), Plaintiff in the above-named case, hereby appeals to the United States Court of Appeals for the Tenth Circuit from the Final Judgment entered in this action on March 13, 2023, at Dkt. No. 202.

Respectfully submitted this 27th day of March, 2023.

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By: /s/ Michael D. McMahan

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ATTORNEYS FOR PLAINTIFF

WICHITA AND AFFILIATED TRIBES

CERTIFICATE OF SERVICE

I hereby certify that on March 27, 2023, a true and correct copy of the above and foregoing with exhibits (if any) was served on counsel of record via the Court's ECF system.

/s/ Michael D. McMahan

Michael D. McMahan